

REMARKS

In the Notice of Non-Compliant Amendment dated September 23, 2005, with respect to the listing of Claims and the fact that Claims 9-11 are missing, Applicant notes that due to a typographical error in the original application filed December 31, 2003, Claims 9-11 never existing. Attached hereto is a copy of the original Claims 1-8 and 12-27 as originally filed, showing that no Claims 9-11 were ever present in this application.

Therefore, Applicant cannot list Claims 9-11, as they were never present in this application.

In the earlier Notice of Non-Compliant Amendment mailed August 30, 2005, the Examiner indicated that the claims have improper claim identifiers. As such, the Applicant has amended the claims to their original claim numbers; to include the proper claim identifiers; and to amend "A method" to "The method."

The Applicant incorporates all of the arguments presented in the Applicant's response dated August 15, 2005 into the instant response.

The Applicant provisionally elected the claims of Group III (claims 13-17). Please note that in the response dated August 15, 2005 (in response to the restriction requirement), the Applicant inadvertently requested that claims 1-8 and 18-27 be canceled. If claims 1-8 and 18-27

were canceled, the Applicant requests that the request to cancel the claims be considered as request to withdrawn the non-elected claims. These Claims have been identified herein as "withdrawn".

In addition, as noted above with respect to the Notice of Non-Compliant Amendment dated September 23, 2005, the Applicant directs the Examiner's attention to the above noted typographical error. Specifically, the Examiner's attention is directed to a mis-numbering of the claims as originally filed. The application, as originally filed, does not include claims 9-11.

The references cited therein have been carefully considered and, in view of the amendments herein to the claims and the following representations, reconsideration of the application in its present form is respectfully requested.

In view of the amendment and in view of the statement of Terminal Disclaimer included in this amendment, it is respectfully submitted that the objections are fully responded to and the Examiner's requirements are fully met.

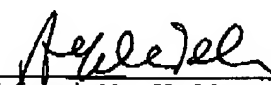
With respect to the rejection based on obviousness double patenting, in view of the terminal disclaimer herein, it is respectfully submitted that claims are allowable. Please deduct the Terminal Disclaimer fee (small entity) of

\$65.00 from the AADA No. 23-0120, together with any extension fee if required.

Applicant submits that the application is in condition for allowance, which allowance is earnestly solicited.

Respectfully submitted,

Dated: October <sup>21</sup>~~14~~, 2005

  
Alfred M. Walker  
Attorney for Applicant  
Reg. No. 29,983

225 Old Country Road  
Melville, NY 11747-2712  
(631) 361-8737  
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